

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

KIPTON FLEMING,)
)
Petitioner,)
)
vs.) No. CIV-05-690-C
)
EDWARD EVANS,)
)
Respondent.)

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the Report and Recommendation entered by United States Magistrate Judge Robert E. Bacharach on March 30, 2010. The court file reflects that no party has objected to the Report and Recommendation within the time limits prescribed. Therefore, the Court adopts the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and the petition for writ of habeas corpus is denied as to the challenges to the dual convictions and related theories involving ineffective assistance of counsel. Judge Bacharach retains the referral for remaining issues.

IT IS SO ORDERED this 28th day of April, 2010.


ROBIN J. CAUTHRON
United States District Judge